

REMARKS

The Applicant does not believe that examination of this response will result in the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application, kindly, be reconsidered.

The Final Office Action dated June 7, 2005 has been received and considered by the Applicants. Claims 1-20 are pending in the present application for invention. Claims 1-20 are rejected by the June 7, 2005 Final Office Action.

The Final Office Action rejects Claims 1-16 under the provisions of 35 U.S.C. §112, first paragraph for defining subject matter that is not contained in the disclosure as originally filed. Specifically, the Examiner states the specification to the present invention lacks support for the local broadcast facility having a filter. The Applicant, respectfully directs the Examiner's attention to the description of the local broadcast facility 110 as shown in Fig. 1. The local broadcast facility as described on page 14, lines 14-22 describes the memory 170 that contains queues: BB 172; MB; and UB 176, for respectively broadcast, multicast and unicast locks. As described on page 15, lines 14-18, the specification describes the data retrieval controller 160 periodically retrieving data from broadcast data sources 121, 122, 123 and storing the data in appropriate one of the queues BB 172, MB 174 and UB 176. This is a filtering process whereby data from broadcast data sources 121, 122, 123 is filtered and sorted into queues 172, 174, 176. Therefore, data retrieval controller 160 acts to filter data received by the broadcast data sources 121, 122, 123 and filter and store the data in appropriate queues BB 172, MB 174 and UB 176. Therefore, this rejection is, respectfully, traversed.

Regarding Official Notice that the Examiner has taken for using queues or placeholders for data casting, or an order of transmission, the Examiner states that U.S. Patent No. 5,898,687 in the name of Harriman et al. shows queues for multicasting and uni-casting that are priority based. The Examiner's position is that Harriman et al. disclosing priority based queues in multicasting and uni-casting renders obvious all uses of queues within a system that performs multicasting and uni-casting. The Applicant, respectfully, disagrees. Harriman et al. teach storing a single copy of each multicast data and to replicate only an address pointer for that memory location for each destination of the multicast connection (see col. 4, lines 56-61). There

is no disclosure or suggestion within Harriman et al. for a transmission controller capable of causing a first of the transmission queues to be transmitted in a broadcast transmission receivable by all and further capable of causing a second transmission of queues to be transmitted in a multicast transmission, wherein selected portions of web page data in the second transmission queue are receivable by only selected subgroups of the plurality of data storage apparatuses. Harriman et al. teach only to transmit a replicate of an address pointer for that memory location for each destination of the multicast connection. Therefore, there remain features within the rejected claims that are not found within the cited references. The Applicant does not concur with the Examiner's reasoning that any disclosure of the use of queues for multicast transmission renders all uses obvious.

The Final Office Action rejects Claims 1-16 under the provisions of 35 U.S.C. §103(a) as being unpatentable over "Integrated Data-casting Solutions for Digital TV (6/1999)" published by Motorola Inc. (hereinafter referred to as Motorola) in view of U.S. Patent No. 6,182,050 issued to Ballard (hereinafter referred to as Ballard).

The rejection contends that Motorola discloses a storage medium for storing selected portions of transmitted data cast streams wherein a content filtering processor which is based on a user profile and caching of content is accomplished by the apparatus. The Examiner requests that the Applicant look at page 5 of Motorola. The Applicant, respectfully, points out that the subject matter defined by the rejected claims pertains to a local broadcast facility capable of content filtering processor by receiving a first datacast stream transmitted by a television broadcast system and detecting therein a plurality of datacast blocks. There is no local broadcast facility disclosed, or suggested, by the cited references capable of content filtering processor by receiving a first datacast stream transmitted by a television broadcast system. The Applicant, respectfully, submits that the elements of the claims must be viewed in their entirety. The elements should not be singled out as if they were in a vacuum without viewing the proper context of these elements. There is no local broadcast facility in the cited references. Motorola does not disclose or suggest any type of reception of a first datacast stream that is transmitted by a television broadcast system; which is part of the definition that must be applied to the interpretation of the local broadcast facility.

The combination of Ballard with Motorola does not disclose or suggest receiving a first datacast stream and detecting in the first datacast stream a plurality of datacast blocks by

comparing a first content parameter associated with a first one of the datacast blocks with at least one subscriber-specific parameter associated with a first one of the data storage apparatuses and storing the first datacast block in a storage medium associated with the first data storage apparatus.

The Applicant respectfully point out that while Motorola discloses that users can be grouped, sub-grouped and unicast; there is no disclosure or suggestion within Motorola for the content to be filtered. The Applicant, respectfully, points as taught by the present invention, wherein the content is filtered at a local broadcast facility. Motorola discloses multicasting that can be tailored, but the tailoring is accomplished at a specific, targeted PC, not at the local broadcast facility as taught by the present invention. Accordingly, the rejected claims have been amended to clearly define subject matter for the local broadcast facility providing the content filter.

The rejection maintains that Motorola discloses on page 11-12 that the filtering is accomplished according "user's view history back to the TV station over the internet", therefore, filtering is not provided by the user's apparatus, but accomplished remote from the user, wherein system targets either groups, sub-groups even specific users, based on demographic and user profiles. The Applicant, respectfully, disagrees. Motorola discusses interactive viewing on pages 11-12. In fact the disclosure of Motorola generally pertains to interactive viewing which is a basic premise of Motorola. Pages 11-12 of Motorola discuss a system that provides a content filter within the PCs of users. Motorola teaches the type of system that is discussed in the beginning of the specification to the present invention wherein large amount of data are stored in users PC. Motorola is silent regarding the features of the present invention wherein a local broadcast facility receives transmissions from a broadcast data source, stores broadcast blocks, multicast blocks and unicast blocks in separate queues before and transmission. Simply put, Motorola does not address filtering features that are contained within the local broadcast facility. Motorola address filtering features that are contained within the users PCs. The Applicant, respectfully, asserts that the foregoing amendment to the claims prevents any reasonable reading of Motorola including the claims of the present invention.

The Examiner states that Motorola teaches at pages 11-12 that filtering is accomplished as a result of the user's viewing history being sent back to the TV station over the internet. The Applicant, respectfully, disagrees with this assertion contained in the Office

Action. The Applicant, respectfully, points out that pages 11-12 of Motorola discuss the user's viewing history being sent back to the TV station over the internet, however, there is no filtering by the any TV broadcast station discussed by Motorola. Motorola clearly states that on pages 11-12 that the user's viewing history is sent back to the TV station to better gauge the reach of digital advertising and viewership. The Applicant requests that the Examiner point to any section of Motorola that discusses filtering being accomplished as a result of the user's viewing history being sent back to the TV station over the internet.

The Examiner states that Ballard teaches the concept that an advertising service provider sends executable filter programs which run on the end user computer, wherein the filter need not be downloaded, wherein the end user computer determines whether a corresponding advertisement is to be downloaded and displayed. The Applicant respectfully asserts, as stated above, that the claims to the present invention pertains to a content filter that is provided at a local broadcast station and not on a PC of a user. The foregoing amendment to the claims has been made to clearly identify this feature of the invention. Accordingly, Ballard should not be read on the claims to the present invention.

The Final Office Action rejects Claims 17-20 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Motorola. Regarding Claims 17-18, the Examiner states that Motorola discloses the limitations associated with a TV broadcasting system capable of transmitting data-cast streams to a plurality of storage apparatuses. The Examiner has taken official notice that providing queues or placeholders for data casting, or an order of transmission, operating as such as a FIFO or other type of ordering device is well known. The Applicant respectfully asserts that the official notice taken by the Examiner is in error. It is not well known to provide it is well known to provide the order of transmission as defined by the rejected claims. Regarding official notice that the Examiner has taken for using queues or placeholders for data casting, or an order of transmission, the Examiner states that U.S. Patent No. 5,898,687 in the name of Harriman et al. shows queues for multicasting and uni-casting that are priority based. The Examiner's position is that Harriman et al. disclosing priority based queues in multicasting and uni-casting renders obvious all uses of queues within a system that performs multicasting and uni-casting. The Applicant, respectfully, disagrees. Harriman et al. teach storing a single copy of each multicast data and to replicate only an address pointer for that memory location for each destination of the multicast connection (see col. 4, lines 56-61). There is no disclosure or

suggestion within Harriman et al. for a transmission controller capable of causing a first of the transmission queues to be transmitted in a broadcast transmission receivable by all and further capable of causing a second transmission of queues to be transmitted in a multicast transmission, wherein selected portions of web page data in the second transmission queue are receivable by only selected subgroups of the plurality of data storage apparatuses. Harriman et al. teach only to transmit a replicate of an address pointer for that memory location for each destination of the multicast connection. The Applicant, respectfully, asserts that none of the references cited for implementing queues disclose or suggest the implementation of queues as defined by the rejected claims. Therefore, there remain features within the rejected claims that are not found within the cited references. The Applicant does not concur with the Examiner's reasoning that any disclosure of the use of queues for multicast transmission renders all uses obvious.

The Applicant respectfully points out that Motorola on page 6 discusses that content can be cached on a server where it can be branded and scheduled for broadcast. There is no disclosure, or suggestion, within Motorola for the provision of multiple caches as recited by the rejected claim. Accordingly, this rejection is respectfully, traversed.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

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